

MAR 30 2006

(Substitute) PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/688,821	
	Filing Date	October 16, 2003	
	First Named Inventor	Eric Wickstrom	
	Art Unit	1635	
	Examiner Name	Richard A. Schnizer	
Total Number of Pages In This Submission	3	Attorney Docket Number	W1113/20008

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000	
Signature	<i>Marina E. Volin</i>	
Printed name	Marina E. Volin	
Date	March 30, 2006	Reg. No. 52,328

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Transmitted to Facsimile No. (571) 273-8300	
Signature	<i>Marina E. Volin</i>
Typed or printed name	Marina E. Volin
Date	03/30/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/30
APR 06 2006
FAX

MAR 30 2006**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION****PATENT**

First Named Inventor: Eric WICKSTROM

Serial No: 10/688,821

Group Art Unit: 1635

Filed: October 16, 2003

Examiner: Richard A SCHNIZER

Att. Docket No.: W1133 20008

Confirmation No.: 2530

For: COMPOUNDS AND METHOD FOR DIAGNOSTIC IMAGING AND THERAPY

PROVISIONAL ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to Restriction Requirement set forth in the March 07, 2006 Office Action, Applicants provisionally elect Group I (claims 1-4, 6-20, 24-39, 83 and 85 in part, and claims 40-56, 76-82, and 86 in full). Claims 69-75 are designated as linking claims and were not listed in either Group 1 or Group 2. Since these claims are generic to both groups of claims, Applications assume that Claims 69-75 will be examined with claims of Group 1.

This provisional election is made without traverse.

In response to the species election requirement set forth in the Office Action, Applicants hereby provisionally elect the following species for prosecution on the merits:

“polymeric diagnostic moieties” as recited in claim 1. Claims readable thereupon include claims 1-4, 6-20, 24-56, 69-83, 85 and 86;

“K-RAS” as a particular species of “PNA” as recited in claim 33. Claims readable thereupon include claims 1-4, 6-20, 24-56, 69-83, 85 and 86.

“a peptide” as a particular species of “a targeting moiety” as recited in claim 34. Claims readable thereupon include claims 1-4, 6-20, 24-34, 37-56, 69-83, 85 and 86;

“a chelant” is selected as recited in claim 26. Claims readable thereupon include claims 1, 4, 13, 26, 27, 44, 69, 78, 79, and 83-87;

Application No. 10/688,821
Amendment Dated 3/30/2006
Reply to Office Action of March 7, 2006

"DOTA" as a particular species of "a chelant" as recited in claim 27. Claims readable thereupon include claims 1, 27, 44, 69, 78, 79, and 83-87;

"a metal ion" is selected as recited in claim 13. Claims readable thereupon include claims 1, 4, 13-19, 26, 27, 44 46, 69, 78, 79, and 83-87;

"Gd(III)" as a particular species of "a metal ion" as recited in claim 16. Claims readable thereupon include claims 1, 4, 13-16, 26, 27, 44 46, 69, 78, 79, and 83-87;

"dendrimer" is selected as recited in claim 8. Claims readable thereupon include claims 1, 8-10, 12, 26, 27, 43, 70, 77, and 83-87;

"PAMAM" as a particular species of "dendrimer" as recited in claim 10. Claims readable thereupon include claims 1, 8-10, 12, 26, 27, 43, 70, 77, and 83-87;

This provisional election is made without traverse. Presently, claims 1 is generic with respect to the species election.

Applicants reserve their rights under 35 USC § 121 to file a divisional application for the non-elected claims.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOV, LTD.

By Marina E Volin
Marina E Volin
Registration No. 52,328
Customer No. 03000
(215) 567-2010
Attorneys for Applicants

March 30, 2006

Please charge or credit our
Account No. 03-0075 as necessary
to effect entry and/or ensure
consideration of this submission.